

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

AUGUSTINE GUTIERREZ, et al.,

Plaintiffs,

vs.

No. CIV-08-0990 KBM/LAM

BOARD OF COMMISSIONERS OF THE
COUNTY OF EDDY, a body politic, et al.,

Defendants.

**ORDER GRANTING IN PART DEFENDANTS' UNOPPOSED MOTION FOR
EXTENSION OF TIME TO IDENTIFY EXPERTS AND FILE REPORTS (Doc. 176)**

THIS MATTER is before the Court on Defendants' *Unopposed Motion for Extension of Time to Identify Experts and File Reports (Doc. 176)*, filed January 15, 2010, wherein Defendants request an extension of time from January 15, 2010 to January 29, 2010 to identify experts and submit reports. As grounds for their request, Defendants state that they need additional time because Plaintiffs have submitted eighteen supplemental disclosure statements and Defendants' experts need additional time to analyze the information and submit reports on the material produced by Plaintiffs. Defendants ask for an extension of time. Defendants also ask that Plaintiffs be granted thirty additional days to depose those identified experts if they choose to do so. On January 18, 2010, Plaintiffs' counsel notified the Court that this motion was not unopposed and that he would be filing a response to the motion in five days. On January 29, 2010, the Court held a telephonic hearing on the motion at which counsel for both parties appeared. At that hearing, the Court learned that Plaintiffs no longer opposed the motion. Having considered the motion, the record of the case, and the parties' statements at the hearing, the Court **FINDS** that the motion should be **GRANTED in part**.

IT IS THEREFORE ORDERED that Defendants' *Unopposed Motion for Extension of Time to Identify Experts and File Reports* (Doc. 176) is **GRANTED in part** and Defendants shall submit their list of experts and outline of their reports by **January 29, 2010**, and shall provide the experts' finished reports by **February 8, 2010 at noon**.

IT IS FURTHER ORDERED that Plaintiff may depose Defendants' identified experts by **March 8, 2010**.

The foregoing deadlines shall not be extended again without approval of the Court upon a motion setting forth exceptional circumstances for extension. All other deadlines set forth in the Amended Order Setting Standard Track and Setting Pretrial Deadlines (Doc. 149) and Scheduling Order (Doc. 151) will remain in effect and are not extended. The settlement conference set for February 9, 2010 will go forward as scheduled.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE